

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
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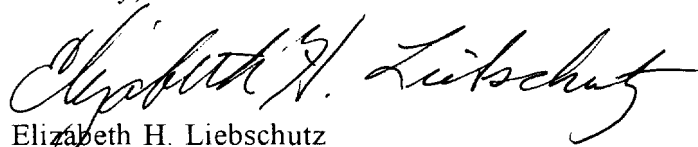
Hon. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W., TW-B204F  
Washington, D.C. 20554

Re: In the Matter of Numbering Resource Optimization - CC Docket No. 99-200

Dear Secretary Salas:

Enclosed are an original and four (4) copies of the Comments of the New York State Department of Public Service in the above-captioned proceeding. We have also filed these Comments electronically. Copies were mailed to the parties on the attached list.

Sincerely,

  
Elizabeth H. Liebschutz  
Assistant Counsel

Enclosure  
cc: All parties  
EHL.00:avy:99-200.ltr

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BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

In the Matter of	)	
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	

COMMENTS OF THE NEW YORK STATE  
DEPARTMENT OF PUBLIC SERVICE

Lawrence G. Malone  
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Public Service Commission  
of the State of New York  
Three Empire State Plaza  
Albany, New York 12223-1350

Of Counsel:  
Elizabeth H. Liebschutz  
Assistant Counsel

Dated: May 17, 2000  
Albany, New York

In the Matter of )  
 )  
 )  
Numbering Resource Optimization ) CC Docket No. 99-200  
 )

The New York State Department of Public Service (NYDPS) hereby responds to the Commission's Further Notice of Proposed Rulemaking, released March 31, 2000 in the above-captioned proceeding. Our comments are limited to the issues of 1) a utilization threshold for growth codes, 2) a cost-recovery mechanism for pooling costs, and 3) a requirement that carriers pay for numbers.

<sup>1</sup>/ Case 98-C-0689, Telephone Numbering Resources, Order Instituting State-Wide Number Pooling and Number Assignment and Reclamation Procedures (issued March 17, 2000), pp. 7-9, 12.



Comments of NYDPS  
May 17, 2000

parties and our coordination with other states, the NYPSC concluded that 75% represents a reasonable level of utilization to require before a carrier can obtain additional number resources. Regardless of the level chosen, however, a utilization requirement cannot account for a sudden spike in demand (e.g., a new business needing 8000 numbers). Therefore, the utilization threshold should be evaluated together with the months-to-exhaust estimate and other evidence of demand to ensure that carriers with a bona fide need for numbers will be served.

Regarding thousands-block number pooling, the Commission seeks additional comment on the appropriate method of cost recovery and the magnitude of costs to be incurred. Although a methodology is needed to determine how carriers contribute to the cost of pooling administration, there is no need for a cost recovery mechanism. Most of the costs for modifications to accommodate thousands-block number pooling have been incurred in connection with local number portability, for which there is already a recovery mechanism.<sup>1/</sup> Any additional costs, such as those to change Operational Support Systems, should be minimal. Such costs should be considered ordinary costs of doing business not entitled to special recovery.

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<sup>1/</sup> Comments of the New York State Department of Public Service, July 29, 1999, p. 12.

Comments of NYDPS  
May 17, 2000

The Commission also seeks comment on a proposal to charge for telephone numbers as a more efficient method of assigning numbers. Telephone numbers are a limited and valuable resource and should be treated as such. Although the proposal to charge for numbers may be premature at this time, it may become more critical as new uses for telephone numbers<sup>1/</sup> become more widespread. Therefore, we support the North American Numbering Council plan to analyze a market-based approach to assigning numbers. We urge the Commission not to act, however, until the ramifications of this approach are fully explored.

Respectfully submitted,



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of the State of New York  
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Of Counsel:  
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Dated: May 17, 2000  
Albany, New York

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<sup>1/</sup> Examples are e-fax services which deliver faxes via e-mail and vehicle assistance services such as the General Motors "On Star" system.